

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

ROMANDO LEWIS,

Plaintiff,

Case No.: 2:16-cv-57

v.

HONORABLE PAUL L. MALONEY

DAVID AARON, et al.,

Defendants.

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**ORDER ADOPTING MAGISTRATE JUDGE'S  
REPORT AND RECOMMENDATION**

The Court has reviewed the Report and Recommendation filed by United States Magistrate Judge Timothy P. Greeley in this action (ECF No. 47). The Report and Recommendation was duly served on the parties. No objections have been filed.

ACCORDINGLY, the Report and Recommendation is hereby adopted as the opinion of the Court.

**THEREFORE, IT IS ORDERED** that Defendants' motion for summary judgment (ECF No. 45) is GRANTED.

**IT IS FURTHER ORDERED** that Plaintiff's complaint is DISMISSED WITH PREJUDICE in its entirety. This action is terminated.

The Court must next decide whether an appeal of this action would be in good faith within the meaning of 28 U.S.C. § 1915(a)(3). *See McGore v. Wrigglesworth*, 114 F.3d 601, 611 (6th Cir. 1997). For the same reasons that the Court dismisses the action, the Court discerns no good-faith basis for an appeal. Should Plaintiff appeal this decision, the Court will assess the \$505 appellate

filing fee pursuant to § 1915(b)(1), *see McGore*, 114 F.3d at 610-611, unless Plaintiff is barred from proceeding *in forma pauperis*, e.g., by the “three-strikes” rule of § 1915(g). If he is barred, he will be required to pay the \$505 appellate filing fee in one lump sum.

Dated: June 20, 2017

/s/ Paul L. Maloney  
Paul L. Maloney  
United States District Judge